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PATENT
Attorney Docket No. 2878(203-3441))

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David S. Keppel Examiner: Kenneth C. Williams
Serial No.: 10/728,259 Group: Art Unit 3739
Filed: December 4, 2003 Dated: May 1, 2006
For: VARIABLE OUTPUT CREST FACTOR
ELECTROSURGICAL GENERATOR

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the U.S. patent documents are not provided in accordance with the waiver of that requirement under 37 C.F.R. §1.98.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 1, 2006

Dated: May 1, 2006


Edward C. Meagher

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☒ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **21-0550**.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment

of such fee(s) to Deposit Account **21-0550**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **21-0550** therefor.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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ECM/gm

with references

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)			Docket Number (Optional) 2878(203-3441)		Application Number 10/728,259		
			Applicant David S. Keppel				
			Filing Date December 4, 2003		Group Art Number 3739		
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	179,607	Mar. 1905	DE				
	390,937	Apr., 1989	DE				
	1,099,658	Feb., 1961	DE				
	1,139,927	Nov., 1962	DE				
	1,149,832	Jun., 1963	DE				
	1,439,302	Jan. 1969	DE				
	2,407,559	Aug., 1975	DE				
	2,439,587	Feb., 1975	DE				
	2,455,174	May., 1975	DE				
	2,504,280	Aug., 1976	DE				
	2,540,968	Mar., 1977	DE				
	2,602,517	Jul., 1976	DE				
	2,803,275	Aug., 1979	DE				
	2,820,908	Nov., 1978	DE				
	2,823,291	Nov., 1979	DE				
	2,946,728	May., 1981	DE				
	3,045,996	Jul., 1982	DE				
	3,120,102	Dec., 1982	DE				
	3,143,421	May., 1982	DE				
	3,510,586	Oct., 1986	DE				
	3,604,823	Aug., 1987	DE				
	3,904,558	Aug., 1990	DE				
	3,942,998	Jul., 1991	DE				
	19,717,411	Nov., 1998	DE				
Examiner				Date Considered			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

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	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	246,350	Nov., 1987	EP				
	390,937	Oct., 1990	EP				
	556,705	Aug., 1993	EP				
	836,868	April, 1998	EP				
	878,169	Nov., 1998	EP				
	1,293,171	Mar. 19, 2003	EP				
	1,275,415	Oct., 1961	FR				
	1,347,865	Nov., 1963	FR				
	2,313,708	Dec., 1976	FR				
	2,502,935	Oct., 1982	FR				
	2,517,953	Jun., 1983	FR				
	2,573,301	May, 1986	FR				
	607,850	Sep. 1948	GB				
	902,775	Aug., 1962	GB				
	WO02/011634	Feb., 2002	PCT				
	WO02/045589	June, 2002	PCT				
	WO02/088128	July, 2002	PCT				
	166,452	Jan., 1965	SU				
	727,201	Apr., 1980	SU				
Examiner				Date Considered			
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		Filing Date December 4, 2003	Group Art Number 3739
OTHER DOCUMENTS			
		Medtrex Brochure "The O.R. Pro 300"	
		1 p. September 1998	
		Valleylab Brochure "Valleylab Electroshield Monitoring System"	
		2 pp. November, 1995	
		Richard Wolf Medical Instruments Corp. Brochure, "Kleppinger Bipolar Forceps & Bipolar Generator"	
		3 pp. January 1989	
		Bergdahl et al. "Studies on Coagulation and the Development of an Automatic Computerized Bipolar Coagulator"	
		J.NEUROSURG, VOL.75, JULY 1991, pp 148-151	
		International Search Report PCT/US03/37110	
		dated July 25, 2005	
		International Search Report PCT/US03/37310	
		dated August 13, 2004	
		International Search Report EP 04009964	
		dated July 13, 2004	
		International Search Report EP 98300964.8	
		dated December 4, 2000	
		International Search Report EP 04015981.6	
		dated September 29, 2004	
		International Search Report EP 05014156.3	
		dated December 28, 2005	
		International Search Report EP 05021944.3	
		dated January 18, 2006	
		International Search Report EP 05022350.2	
		dated January 18, 2006	
Examiner		Date Considered	
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			